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Federal Agencies

August 11, 2003

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Utility Patent Application  
Appl. No. 09/245,025; Filed: February 5, 1999  
For: **Compositions of Reverse Transcriptases and Mutants Thereof**  
Inventors: GERARD *et al.*  
Our Ref: 0942.4330003/RWE/HCC  
Art Unit: 1652

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal Form (PTO/SB/17);
2. Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1);
3. Amendment and Reply Under 37 C.F.R. § 1.116 with attachments;
4. A copy of the Declaration Concerning the Deposited Biological Material;
5. An executed Certificate Under C.F.R. § 3.73(b);
6. PTO Credit Card Form in the amount of \$110.00 to cover the one month Extension of Time fee; and
7. One return postcard.

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Commissioner for Patents  
August 11, 2003  
Page 2

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Helene C. Carlson  
Agent for Applicants  
Registration No. 47,473

RWE/HCC/eaf  
Enclosures

SKGF\_DC1:165045.1



# Certificate Under 37 C.F.R. § 3.73(b)

Applicant/Patent Owner: Gerard et al.

Application No./Patent No.: 09/245,025 Filed/Issue Date: February 5, 1999

Entitled: Compositions of Reverse Transcriptases and Mutants Thereof

Invitrogen Corporation

(Name of Assignee)

a corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest, or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☐ An Assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s) of the patent application/patent identified above to the current assignee as shown below:

1. From: Gary F. Gerard, Michael D. Smith and Deb K. Chatterjee

To: Life Technologies, Inc.

The document was recorded in the Patent and Trademark Office at Reel 9353, Frame 0181, or for which a copy thereof is attached.

2. From: Life Technologies, Inc. To: Invitrogen Corporation

The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Signature: \_\_\_\_\_

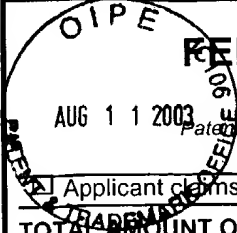
Name: Alan W. Hammond

Title: Chief Intellectual Property Counsel

Date: May 27, 2003

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<b>Complete if Known</b>	
Application Number	09/245,025
Filing Date	February 5, 1999
First Named Inventor	Gary F. GERARD
Examiner Name	Nashed, N.T.
Art Unit	1652
Attorney Docket No.	0942.4330003/RWE/HCC



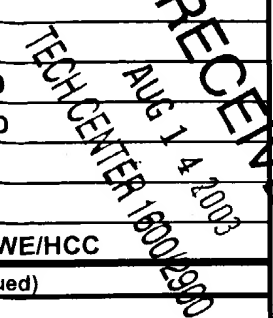
## FEE TRANSMITTAL

### for FY 2003

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT (\$)** 110.00



METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)																																																																																																																																																																																																
<p><input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other** <input type="checkbox"/> None</p> <p style="font-size: x-small;">** Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.</p> <p><input type="checkbox"/> Deposit Account Deposit Account Number 19-0036 Deposit Account Name: Sterne, Kessler, Goldstein &amp; Fox P.L.L.C.</p> <p><b>The Commissioner is authorized to: (check all that apply)</b></p> <p><input type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Credit any over payments</p> <p><input type="checkbox"/> Charge any additional fee(s) during the pendency of this application</p> <p><input type="checkbox"/> Charge fee(s) indicated below, <b>except for the filing fee</b> to the above-identified deposit account.</p>	<h4>3. ADDITIONAL FEES</h4> <table border="1" style="width:100%; border-collapse: collapse; font-size: x-small;"><thead><tr><th colspan="4"></th><th>Fee Description</th><th>Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th><th></th><th></th></tr></thead><tbody><tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>1502</td><td>50</td><td>2052</td><td>25</td><td>Surcharge-late provisional filing fee or cover sheet</td><td></td></tr><tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr><tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>1252</td><td>410</td><td>2252</td><td>205</td><td>Extension for reply within second month</td><td></td></tr><tr><td>1253</td><td>930</td><td>2253</td><td>465</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1254</td><td>1,450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>1255</td><td>1,970</td><td>2255</td><td>985</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr><tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr><tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>1453</td><td>1,300</td><td>2453</td><td>650</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>1501</td><td>1,300</td><td>2501</td><td>650</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>1502</td><td>470</td><td>2502</td><td>235</td><td>Design issue fee</td><td></td></tr><tr><td>1503</td><td>630</td><td>2503</td><td>315</td><td>Plant issue fee</td><td></td></tr><tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr><tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>1809</td><td>750</td><td>2809</td><td>375</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr><tr><td>1810</td><td>750</td><td>2810</td><td>375</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr><tr><td>1801</td><td>750</td><td>2801</td><td>375</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="6">Other fee (specify) _____</td></tr><tr><td colspan="5" style="text-align: right;">* Reduced by Basic Filing Fee Paid</td><td style="text-align: right;">SUBTOTAL (3) (\$)</td></tr></tbody></table>					Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)			1051	130	2051	65	Surcharge - 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<h4>1. BASIC FILING FEE</h4> <table border="1" style="width:100%; border-collapse: collapse; font-size: x-small;"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th>Fee Description</th><th>Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th><th></th><th></th></tr></thead><tbody><tr><td>1001</td><td>750</td><td>2001</td><td>375</td><td>Utility filing fee</td><td></td></tr><tr><td>1002</td><td>330</td><td>2002</td><td>165</td><td>Design filing fee</td><td></td></tr><tr><td>1003</td><td>520</td><td>2003</td><td>260</td><td>Plant filing fee</td><td></td></tr><tr><td>1004</td><td>750</td><td>2004</td><td>375</td><td>Reissue filing fee</td><td></td></tr><tr><td>1105</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="5" style="text-align: right;"><b>SUBTOTAL (1) (\$)</b></td><td>0</td></tr></tbody></table> <h4>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</h4> <table border="1" style="width:100%; border-collapse: collapse; font-size: x-small;"><thead><tr><th colspan="2">Extra</th><th colspan="2">Fee from below</th><th>Fee Paid</th></tr></thead><tbody><tr><td>Total Claims</td><td>_____ - 20** = _____</td><td>X</td><td>_____</td><td>= _____</td></tr><tr><td>Indep. Claims</td><td>_____ - 3** = _____</td><td>X</td><td>_____</td><td>= _____</td></tr><tr><td>Multiple Dependent</td><td>_____</td><td></td><td>_____</td><td>= _____</td></tr></tbody></table> <h4>Large Entity/Small Entity</h4> <table border="1" style="width:100%; border-collapse: collapse; font-size: x-small;"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th>Fee Description</th><th>Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th><th></th><th></th></tr></thead><tbody><tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr><tr><td>1201</td><td>84</td><td>2201</td><td>42</td><td>Independent claims in excess of 3</td><td></td></tr><tr><td>1203</td><td>280</td><td>2203</td><td>140</td><td>Multiple dependent claim, if not paid</td><td></td></tr><tr><td>1204</td><td>84</td><td>2204</td><td>42</td><td>**Reissue independent claims over original patent</td><td></td></tr><tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td><td></td></tr><tr><td colspan="5" style="text-align: right;"><b>SUBTOTAL (2) (\$)</b></td><td>0</td></tr></tbody></table> <p style="font-size: x-small; margin-top: 5px;">**or number previously paid, if greater; For Reissue, see above</p>		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)			1001	750	2001	375	Utility filing fee		1002	330	2002	165	Design filing fee		1003	520	2003	260	Plant filing fee		1004	750	2004	375	Reissue filing fee		1105	160	2005	80	Provisional filing fee		<b>SUBTOTAL (1) (\$)</b>					0	Extra		Fee from below		Fee Paid	Total Claims	_____ - 20** = _____	X	_____	= _____	Indep. Claims	_____ - 3** = _____	X	_____	= _____	Multiple Dependent	_____		_____	= _____	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)			1202	18	2202	9	Claims in excess of 20		1201	84	2201	42	Independent claims in excess of 3		1203	280	2203	140	Multiple dependent claim, if not paid		1204	84	2204	42	**Reissue independent claims over original patent		1205	18	2205	9	**Reissue claims in excess of 20 and over original patent		<b>SUBTOTAL (2) (\$)</b>					0																																																																												
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1203	280	2203	140	Multiple dependent claim, if not paid																																																																																																																																																																																													
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GERARD *et al.*

Appl. No. 09/245,025

Filed: February 5, 1999

For: **Compositions of Reverse  
Transcriptases and Mutants  
Thereof**

Confirmation No.: 4443

Art Unit: 1652

Examiner: Nashed, N. T.

Atty. Docket: 0942.4330003/RWE/HCC

**Amendment and Reply Under 37 C.F.R. § 1.116**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

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*Attn: Box AF*

In reply to the Office Action dated **November 19, 2002**, (PTO Prosecution File Wrapper Paper No. 26), Applicants submit the following Amendment and Remarks. This Amendment is provided in the following format:

- (A) A clean version of each replacement paragraph/section/claim along with clear instructions for entry;
- (B) Starting on a separate page, appropriate remarks and arguments. 37 C.F.R. § 1.121 and MPEP 714; and
- (C) Starting on a separate page, a marked-up version entitled: "Version with markings to show changes made."

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this

application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a),  
and any fees required therefor (including fees for net addition of claims) are hereby  
authorized to be charged to our Deposit Account No. 19-0036.